

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

GEORGE RAMIREZ,
JOSHUA RUIZ,

Plaintiffs,

v.

THE CITY OF NEWARK, ESSEX
COUNTY CORRECTIONAL FACILITY,
AND OFFICERS JOHN DOE 1-10 (names
being fictitious),

Defendants,

THE CITY OF NEWARK,

Defendant/ Third-Party
Plaintiff,

COUNTY OF ESSEX, ESSEX COUNTY
PROSECUTOR'S OFFICE, RICHARD
ROE, DAVID ZOE (names being fictitious)

Third-Party
Defendants.

Civil Action No. 11-CV-1150 (SDW-
MCA)

AMENDED ORDER

January 16, 2013

WIGENTON, District Judge.

Before this Court is Third-Party Defendant the Essex County Prosecutor's Office's motion to dismiss the third-party complaint in lieu of an answer pursuant to Federal Rule of Civil Procedure 12(b)(6). (Dkt. no. 54.) Also, before this Court is (1) Third-Party Defendant the County of Essex's motion to certify this Court's June 14, 2012 order as final, thereby permitting the County of Essex to file an interlocutory appeal, and (2) the County of Essex's motion to dismiss Plaintiffs' complaint against the Essex County Correctional Facility. (Dkt. no. 53.) For the reasons stated in the Opinion dated December 21, 2012, it is hereby

ORDERED that the Essex County Prosecutor's Office's motion to dismiss is **GRANTED**; and it is further

ORDERED that the County of Essex's motion to certify this Court's June 14, 2012 order is **DENIED**; and it is further

ORDERED that the County of Essex's motion to dismiss Plaintiffs' complaint against the Essex County Correctional Facility is **GRANTED**; and it is further

ORDERED that Plaintiffs have thirty days from the date of this amended order to demonstrate proof of service on the Essex County Correctional Facility.

s/Susan D. Wigenton, U.S.D.J.

Orig: Clerk
Cc: Madeline Cox Arleo, U.S.M.J.
Parties